

JEFFREY S. CHIESA
ATTORNEY GENERAL OF NEW JERSEY
Division of Law
124 Halsey Street - 5th floor
P.O. Box 45029
Newark, New Jersey 07101

FILED

APR 17 2013

New Jersey Board of Nursing

By: Pavithra Angara
Special Deputy Attorney General
Tel (973) 648-4741

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF NURSING

IN THE MATTER OF THE SUSPENSION
OR REVOCATION OF THE LICENSE OF

IVY C. WILLIAMS, R.N.
LICENSE NO. 26NR06541700

TO PRACTICE NURSING IN THE
STATE OF NEW JERSEY

ADMINISTRATIVE ACTION

CONSENT ORDER

The New Jersey State Board of Nursing is charged with the duty and responsibility of regulating the practice of nursing in the State of New Jersey pursuant to the Nurse Practice Act, N.J.S.A. 45:11-1 et seq. and regulations set forth in N.J.A.C. 13:37-14.1 et seq.

Pursuant to N.J.S.A. 45:11-23, all homemaker-home health aides ("CHHA") are required to be certified by the Board as they are performing nursing tasks delegated by a licensed registered professional nurse. N.J.A.C. 13:37-6.2 requires that the registered professional nurse shall be responsible for exercising that degree of judgment and knowledge reasonably expected to assure that a proper delegation has been made including that a registered professional nurse may not delegate the performance of a nursing task to persons who have not been adequately prepared by verifiable training and education.

Ivy C. Williams ("Respondent") holds New Jersey license 26NR06541700 as a Registered Nurse with the Board. Respondent is employed by Sweet Home Services, LLC ("Sweet") in Toms River, New Jersey as a Registered Nurse. Beginning with Sweet's renewal Board registration on July 1, 2009, and for every subsequent year thereafter, Respondent was identified by Sweet as a Nursing Supervisor.

Through its investigation, the Board has determined that while serving as Sweet's Nursing Supervisor, Respondent engaged in multiple violations of N.J.S.A. 45:11-23 and N.J.A.C. 13:37-6.2 and N.J.A.C. 13:37-14.3 by failing to fulfill her duties as Director Nursing; failing to ensure that aides assigned to clients who required personal care were Certified Homemaker-Home Health Aides; failing to confirm and document that the care provided did not exceed the scope of the delegated tasks and procedures; and/or that the delegated tasks were performed in a satisfactory manner.

Given the above, the Board finds that Respondent engaged in multiple acts of professional misconduct pursuant to N.J.S.A. 45:1-21(e) and/or has violated the statutes and/or regulations governing the practice of nursing pursuant to N.J.S.A. 45:1-21(h).

The parties being desirous of resolving this matter, and the Board, being satisfied that entry of the within Order obviates the need for formal proceedings, and being further satisfied that the within disposition is adequately protective of the public health, safety and welfare, and for good cause shown

IT IS, therefore, ON THIS 17 day of April, 2013, ORDERED and AGREED that:

1. Respondent is hereby reprimanded for professional misconduct and violating the statutes and/or regulations governing the practice of nursing.

2. Respondent is assessed an aggregate civil penalty of \$1,500 pursuant to N.J.S.A. 45:1-25 for the violations described herein. Respondent shall pay a total of \$1,500 in penalties and costs in six (6) equal monthly installments of \$250.00 each. The first payment shall be due on or before August 23, 2013, with each subsequent payment due on the twenty-third day of each of the following five months. All monthly payments shall be made by money order or other certified funds payable to the Treasurer, State of New Jersey, and forwarded to the attention of George Hebert, Executive Director of the Board of Nursing, 124 Halsey Street, 6th Floor, P.O. Box 45027, Newark, NJ, 07101.

3. A Certificate of Debt reflecting the \$1,500 currently due and owing shall be filed with the New Jersey Superior Court.

4. In the event Respondent defaults on the payment terms of this Order she specifically acknowledges that: 1. Following notice by certified and regular mail to Respondent's address on file with the Board, she shall have five (5) business days to cure the deficiency by immediately making all overdue payments to the Board; 2. Failure to cure the default within the specified time shall result in the default of Respondent's obligations under this Order without further notice or opportunity to be heard; 3. Upon default of any and all amounts then due and owing under this Order, including any future installments, shall immediately be due in full; 4. The Board may issue a summary order of suspension of Respondent's license to practice nursing in the State of New Jersey. The summary suspension order may issue following a certification from the Board's Executive Director of Respondent's default and failure to cure, without further notice to Respondent or opportunity to be heard; and 5. Following the issuance of a summary suspension order pursuant to the proceeding, any application by Respondent to lift the suspension shall not be considered by the Board unless and until all payments due under this Order have been paid in full.

5. Respondent shall reimburse the Board's investigative costs and fees totaling \$7,542.60 pursuant to N.J.S.A. 45:1-25(d). The payment of said costs and fees shall be suspended provided that Respondent complies with the terms of this Consent Order and the rules and regulations governing the practice of nursing in the State of New Jersey.

6. Respondent shall enroll in and successfully complete a Board-approved educational course. Successful completion means that Respondent attended all sessions of the course, fully participated in the course, and received a final evaluation of an unconditional pass. The Board further requests that Respondent submit to the Board written verification that Respondent satisfactorily completed all recommendations.

7. The Board shall retain jurisdiction to enforce the terms of this Order. Upon receipt of any reliable information indicating that Respondent has violated any term of this Order, the Board reserves the right to bring further disciplinary action.

8. Respondent has been specifically advised that she has a right to retain an attorney in this matter as the entry of this Order effects her legal rights. Respondent has voluntarily chosen to enter into this Order without the advice of counsel.

NEW JERSEY STATE BOARD OF NURSING

By: Patricia Murphy PhD APRN, FAAN
Patricia Murphy, PhD, APN, FAAN,
President

I have read and understood
the within Order and agree to
be bound by its terms.

Ivy C. Williams
Ivy C. Williams, R.N.